

**REMARKS**

Reconsideration of this application is respectfully requested.

The title of the application has been changed in the manner requested by the Examiner. The specification has been amended to improve the readability of page 14 of the specification.

Claim 1 is directed to an apparatus for use in forming sheet material assemblages which include a folded covered section having two sides and into which other sheet material items are inserted. The apparatus includes a pocket assembly having forward and rear walls defining a pocket into which a folded cover section is fed. A mechanism is provided to open folded cover sections of different sizes to receive other sheet material items.

The mechanism for opening folded cover sections of different sizes is set forth in claim 1 as including a first gripper for gripping a folded cover section of one size and a second gripper for gripping a folded cover section of a different size. The first gripper being ineffective to grip the folded cover section of the different size. The second gripper being ineffective to grip the folded cover section of the one size

Claim 1 defines over the prior art, and particularly the patents to Hatt (5,065,994) and Linder et al. (6,311,968) by setting forth the gripper for gripping a folded cover section of one size as being ineffective to grip the folded cover section of a different size. In addition, claim 1 defines over the prior art by setting forth the second gripper for gripping a folded cover section of a different size as being ineffective to grip the folded cover section of the one size. In the patent to Hatt, the grippers 24 and 25 are effective to

grip the newspaper 7 of any one of a plurality of different sizes. One of the grippers 24 or 25 is not ineffective to grip the newspaper of a size which is gripped by the other gripper. In the patent to Linder et al., the gripper 17 is effective to grip the product 5 and is not ineffective to grip a product 5 of a different size.

Claims 2-5 depend from claim 1 and define over the prior art for substantially the same reasons as does claim 1 and by virtue with the structure and function set forth in these claims taken in combination with the structure and function of claim 1. Specifically, claim 2 sets forth an operator assembly as being connected with first and second grippers to operate the first and second grippers during forming of sheet material assemblages of the one size and during forming of sheet material assemblages of the different size.

Claim 3 depends from claim 1 and sets forth a presser which is connected with a first one of the forward and rear walls and is effective to press a side of a folded section against a second one of the forward and rear walls. The presser is movable with the first one of the forward and rear walls relative to the second one of the forward and rear walls. Claim 3 defines over the prior over art by setting forth the presser which is connected with one of the walls and is effective to press a folded cover section against a second one of the walls. In the patent to Linder et al., the holder 20 is connected to one of the walls and is effective to press a product 5 against the same wall as on which the holder 20 is mounted. The holder 20 of Linder et al. is not mounted on one wall and is effective to press the product against another wall in the manner set forth in claim 3.

Claim 4 depends from claim 3 and sets forth an operator assembly which is connected with a presser and is operable to effect movement of the presser relative to the first one of the forward and rear walls to move the presser between a retracted condition

and an extended condition. The presser is effective to urge one side of the folded cover section toward the second gripper when the presser is in the extended condition. The patents to Hatt and/or Linder et al. do not disclose a presser which is effective to urge a folded cover section toward a gripper on a wall on which the presser is not mounted in a manner set forth in claim 4.

Claim 5 depends from claim 4 and sets forth an actuator which is operable between an active condition and an inactive condition. The actuator is effective to effect operation of an operator assembly to move the presser when the actuator is in the active condition. The actuator is ineffective to effect the operation of the operator assembly when the actuator is in the inactive condition.

Claims 6-15 have been allowed. However, allowed claims 7, 11, 13, and 14 have been amended to amended to improve their readability.

Independent claim 16 is directed to an apparatus for use in forming sheet material assemblages of different sizes. The apparatus includes a pocket assembly, having a base. A first gripper is connected with the base to engage an upper edge portion of one side of a cover section of a first sheet material assemblage. A second gripper is connected with the base to engage an upper edge portion of one side of a cover section of a second sheet material assemblage. The cover section of the first sheet material assemblage is larger than the cover section for a second sheet material assemblage.

The pocket assembly is set forth in claim 16 as including a side section which is movable relative to the base to operate the pocket assembly between open and closed conditions. A presser is movable with the side section relative to the base. The presser is

engagable with a cover of the second sheet material assemblage to press the cover section of the second sheet material assemblage against the base.

Claim 16 defines over the prior art by setting forth a pocket assembly which includes first and second grippers connected with a base and a presser which is movable with a side section relative to the base. The presser is engagable with a cover section of a sheet material assemblage to press the cover section of the sheet material assemblage against the base.

In the patent to Linder et al., the holder 20 is connected with the wall 18 in the pocket assembly and is effective to press a printed product 5 against the same wall of the pocket assembly as on which the holder 20 is mounted. The holder 20 of Linder et al. is not movable with a side section of a pocket assembly to press the cover section against a base of a pocket assembly.

Claim 17-24 depend from claim 16 and define over the prior art for substantially the same reasons as does claim 16 and by virtue with the structure and function set forth in these claims taken in combination with the structure and function of claim 16. Specifically claim 17 sets forth the presser as being movable between a retracted position and an extended position. An actuator effects operation of the operator assembly connected with the presser to move the presser between the retracted and extended positions.

Claim 18 depends from claim 16 and sets forth the presser as being operable to press the cover section of the second sheet material assemblage against a surface area disposed on the base adjacent to the second gripper. The presser is ineffective to press the cover section of the first sheet material assemblage against a surface area on the base adjacent to the second gripper. In the patent to Linder et al. the holder 20 is not movable

with a side section of a pocket assembly to press a cover section against a base of the pocket assembly at a location adjacent to a gripper.

Claim 19 depends from claim 16 and sets forth a first base surface area against which a portion of the cover section of the first sheet material assemblage is pressed by the first gripper. In addition, claim 19 sets forth a second base surface area against which a portion of the cover section for the second sheet material assemblage is pressed by the second gripper. The presser as set forth in claim 19 as being effective to urge the cover section against the second base surface area. The holder 20 of Linder et al. does not urge sheet material against a surface area on the front pocket wall 16.

Claim 20 depends from claim 16 and sets forth the actuator as being operable between an active condition in which the actuator is effective to move the presser and an inactive condition in which the actuator is ineffective to move the presser.

Claim 21 depends from claim 20 and sets forth a device for operating the actuator between the active and inactive conditions. The actuator is in the inactive condition when the first sheet material assemblage is to be formed in the pocket assembly. The actuator is in the active condition when the second sheet material assemblage is to be formed in the pocket assembly.

Claim 22 depends from claim 16 includes a first actuator for effecting operation of the first gripper between first and second conditions. The first gripper is effective to press a portion of the cover section of the first sheet material assemblage against a first gripper surface connected with a base when the gripper is in the first condition. The first gripper is ineffective to press a portion of the cover section of the second sheet material assemblage against the first gripper surface when the first gripper is in the second condition. A second

actuator is provided for effecting operation of the second gripper between the first and second conditions. The second gripper is effective to press a portion of the cover section of the second sheet material assemblage against a second gripper surface connected with the base when the second gripper is in the first condition. The second gripper is ineffective to press a portion of the cover section against the second gripper surface when the second gripper is in the second condition. The patents to Hatt and Linder et al., do not disclose a base section having first and second grippers which are operable to a condition at which they are ineffective to press sheet material against gripper surfaces.

Claim 23 depends from claim 22 and sets forth the first and second grippers as being simultaneously operated between the first and second conditions by the first and second actuators.

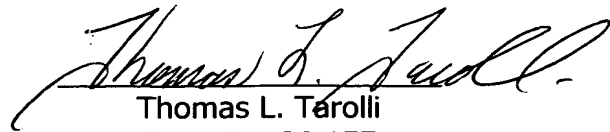
Claim 24 depends from claim 16 and sets forth a first shaft as being connected with a first gripper and rotatably mounted on the base. A second shaft is connected with a second gripper and is rotatably mounted on the base. A linkage connects the first and second shafts to move the first and second shafts during forming of sheet material assemblages. The patents to Hatt and Linder et al. do not disclose a first shaft connected with a first gripper and a second shaft connected with a second gripper in the manner set forth in claim 24.

In view of the foregoing remarks, it is believed that the claims in this application clearly and patentably define over the prior art. Therefore, it is respectfully requested that the claims be allowed and this application passed to issue. If for any reason the Examiner believes that a telephone conference would expedite the prosecution of this application, it is respectfully requested that the Examiner contact applicant's attorneys in Cleveland, Ohio

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at 621-2234, area code 216. Please charge any deficiency in the fees for this application to our Deposit Account No. 20-0090.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Thomas L. Tarolli", written over a horizontal line.

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